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## Russian Federation

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### WTO Notification on EAEU Common Phytosanitary Rules

**Report Categories:**

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FAIRS Subject Report

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**Report Highlights:**

On March 29, 2017, the Russian Federation notified to the WTO via G/SPS/N/RUS/111/Add.1 that "The Common Rules and Standards to Ensure Plant Quarantine on the customs territory of the Eurasian Economic Union" was approved on November 30, 2016, and that it will come into force July 1, 2017. The document introduces common requirements to authorized bodies for plant protection in the EAEU and defines common rules for examination, certification, fumigation and others. The draft of the decision was notified to the WTO in October 2015.

## General Information:

On March 29, 2017, Russia notified to the World Trade Organization (WTO) via [G/SPS/N/RUS/111/Add.1](#) that the Eurasian Economic Commission (EEC)<sup>1</sup> approved “The Common Rules and Standards to Ensure Plant Quarantine on the Customs Territory of the Eurasian Economic Union ” – published [in Russian](#) – on November 30, 2016, and that it will come into force July 1, 2017. The draft of the decision was notified to the WTO via [G/SPS/N/RUS/111](#) in October 2015 (Please see [GAIN RS1590](#) for details).

The rules provide definitions of key terms according to the International Convention for Plant Protection (IPPC). The document unifies member states’ requirements for authorized plant quarantine protection bodies, their main goals, and measures for plant quarantine phytosanitary control. It describes common rules for the examination of regulated products and articles, rules for phytosanitary certification according to the Common Phytosanitary Requirements of the EAEU (Please see [GAIN RS1722](#) for details), rules for fumigation and for inclusion of quarantine pests into the Common list of quarantine pests of the EAEU (Please see [GAIN RS1721](#) for details).

BEGIN OF UNOFFICIAL TRANSLATION

APPROVED BY  
Decision of the Council of the  
Eurasian Economic Commission of  
November 30, 2016, No. 159

## Common Rules and Standards for Assurance of Plant Quarantine in the Eurasian Economic Union

### I. General Provisions

1. This document have been developed in accordance with paragraph 19, of the Protocol of application of sanitary, veterinary-sanitary and quarantine phytosanitary measures (Annex No. 12 to the Treaty on the Eurasian Economic Union of May 29, 2014).

2. For the purpose of the document the terms are used that indicate the following:

“Harmful organism” - any species, strain or biotype of plant, animal, or pathogenic agent injurious to plants or plant products;

“Quarantine phytosanitary inspection” – measure by authorized body for plant quarantine of the member state of the EAEU, implemented in a particular limited period of time to detect quarantine

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<sup>1</sup> The EEC is the regulatory body for the Armenia-Belarus-Kazakhstan-Kyrgyzstan-Russia Eurasian Economic Union (EAEU).

pests which are present in a specific territory, specific place of production or another article under quarantine;

“Outbreak of quarantine pest” - a detected isolated population of quarantine pest or a dramatic increase in the number of population of localized quarantine pest in the area;

“Owner (user) of regulated quarantine article” – owner of an article under quarantine, authorized for concluding deals and (or) other transactions on behalf of the owner of the quarantine article.

3. Other definitions in this document are used in meanings established in the Treaty on the Eurasian Economic Union of May 29, 2014, the Customs Code of the Customs Union and the International Convention for Quarantine and Protection of Plants of December 6, 1951, (hereinafter - Convention).

## II. Quarantine phytosanitary examination

4. Regulated articles are subject to quarantine phytosanitary inspections.

5. Quarantine phytosanitary inspections are conducted by authorized body for plant quarantine of a member state of the EAEU (hereinafter - authorized body, member state, the Union) for the following purposes:

a) To detect quarantine pests on early stage;

b) To determine (adjust) boundaries of outbreak of quarantine pests;

c) To make modifications to the Single list of quarantine pests of the Union (hereinafter - the List) and to the Common Quarantine Phytosanitary Requirements of the Union (hereinafter - the Requirements).

6. Quarantine phytosanitary inspections shall be carried out according to schedule approved by authorized body.

7. Scheduling of quarantine phytosanitary inspections depends on the following:

a) Administrative division of territory;

b) Biology of a quarantine pest/harmful organism;

c) Distribution of host species of plants (cultivated and wild) affected by quarantine pests (harmful organisms);

d) Potential pathways of entry and spread of a quarantine pest (harmful organism);

e) Places of storage, production, processing, marketing and disposal of regulated products;

f) Locations where the harvested crops are concentrated;

g) Species of cultivated crops.

8. Upon scheduling of quarantine phytosanitary inspections special attention should be paid to:

a) Production places and sites designed to grow seeding and planting material;

b) Seeding and planting sites where imported seeding and planting material is used.

9. The time period for conducting quarantine phytosanitary inspections is determined by:

a) Life cycle of quarantine pests (harmful organism);

b) Stage of development of plants affected by quarantine pests (harmful organisms);

c) Timing for measures for containment and eradication of the foci of quarantine pests.

10. Quarantine phytosanitary examinations are conducted in accordance with the methodology of quarantine phytosanitary examinations.

11. The results of quarantine phytosanitary inspections are documented in accordance with the legislation of the member states and provide a basis for determining the quarantine phytosanitary statuses on the territory of the member states.

12. Owners (users) of the regulated articles must conduct inspections of the regulated articles to determine presence of quarantine pests. In case of detection of quarantine pests owners must inform the authorized body of the member state on the territory of which the regulated article is located.

13. Measures aimed at the detection of quarantine pests and their control, as well as containment and elimination of outbreaks shall be implemented at the expense of funds assigned by member states.

14. The authorized bodies, on a yearly basis, exchange information on the quarantine phytosanitary statuses of their territories on an annual basis. The member states present this information to the Eurasian Economic Commission for publication on official website of the Union in the Internet.

### III. Decontamination of Regulated Products and Regulated Articles

15. The goals of decontamination measures to regulated products and regulated articles in the territory of the member states are the following:

- a) To ensure the quarantine phytosanitary security of customs territory of the Union;
- b) To prevent introduction and spread of quarantine pests in the territory of the member states;
- c) To meet the requirements of the Convention, requirements of the importing countries when the regulated products are exported from customs territory of the Union and the international treaties of the member states in the sphere of plant quarantine;
- d) To minimize threats to the human health and to conserve the environment when decontamination is carried out.

16. Decontamination is carried out in compliance with the requirements of the legislation of the member states with the purpose of destruction, removal, sterilization (deprivation of reproductive capacity) of quarantine objects or deprivation of their viability by chemical, physical, biological, mechanical, thermal or other methods.

17. Decontamination of regulated products is carried out by entities possessing the right for conducting decontamination in accordance with the legislation of the member states in the territory of which the decontamination takes place.

18. The authorized body exercises oversight of the entities permitted to conduct decontamination of regulated products and regulated articles.

19. The member states keep register of the entities permitted to conduct decontamination of regulated products and regulated articles.

20. In case where quarantine pests are detected, they are subject to decontamination in compliance with the national legislation of the member states.

#### IV. Phytosanitary Certification

21. The phytosanitary certification system of the member states is established in accordance with their legislation.

22. The authorized body of an exporting member state should have exclusive authority for establishing and facilitation of system for phytosanitary certification, issuing of phytosanitary certificates and should have management system ensuring execution of requirements of the member state.

23. The authorized body should facilitate operation of a quarantine phytosanitary certification system for the purposes of verification of compliance of regulated products with the phytosanitary requirements of importing countries. In case of moving controlled products from territory of one member state to another it should facilitate compliance with the Common phytosanitary requirements.

24. The authorized body issues phytosanitary certificates on exported or re-exported products as well as and on products moving from one member state to another member state. These certificates serve as a confirmation that these products comply with the phytosanitary requirements of the importing country or to the Common phytosanitary requirements.

25. Personnel of the authorized body should have necessary skills and technical competences to perform functions for phytosanitary certification. Personnel of the authorized body of an exporting member state should have access to official information on the phytosanitary requirements of the importing country. Employees of the authorized body shall not have a personal interest in the results of phytosanitary certification.

26. The authorized body of exporting member state bears responsibility for the development and maintenance of a system for keeping and recording documentation of the relevant certification procedures. The authorized body should have guidelines and instructions for all procedures and it must keep record of all actions preceding the issuance of phytosanitary certificates.

27. The authorized bodies of the member states should inform each other on cases where violations have been found in the course of mutual shipments of regulated products as well as export/import operations with third countries.

28. The authorized body should have management system which enables to:

- a) To identify officer or division responsible for the phytosanitary certification system;
- b) To describe job responsibilities of the officers of the authorized body in charge for the

phytosanitary certification;

c) To define information channels available for the officers in charge of the phytosanitary certification;

d) To hire personnel and/or assign authority to those who have necessary competences and skills for phytosanitary certification;

e) To ensure appropriate and regular personnel trainings on improving of the system.

29. In order to maintain certification system the authorized body should perform the following functions:

a) To process, store and update information on phytosanitary requirements of importing countries needed for phytosanitary certification and to bring relevant information to employees of the authorized body;

b) To conduct visual inspections, take specimens and perform testing of regulated products for the purposes pertinent to phytosanitary certification;

c) To perform detection and identification of quarantine pests and regulated non-quarantine harmful organisms;

d) To conduct surveys and monitoring, as well as controlling measures for confirming of compliance of the regulated products specified in phytosanitary certificates with the phytosanitary requirements of the importing countries;

e) To produce phytosanitary certificates;

f) To audit the application and adequacy of phytosanitary certification procedures;

g) To review notifications on non-compliance and to apply (if necessary) corrective measures;

h) To keep copies of the issued phytosanitary certificates and other relevant documents;

i) To review effectiveness of the phytosanitary certification system;

j) To conduct personnel training;

k) To ensure proper procedures for providing phytosanitary safety of regulated products from their phytosanitary certification to actual export.

30. The performance of certain functions for phytosanitary certification (with the exception of the functions of producing of phytosanitary certificates) may be imposed on the organization subordinated to authorized body.

31. Phytosanitary certificate is issued on the basis of the phytosanitary requirements of the importing countries.

32. The authorized body of the exporting member state should have official up to date information on phytosanitary requirements of importing countries, which is provided in accordance with the Convention.

33. The authorized body should have equipment, technical means, materials and tools for performing of procedures for phytosanitary certification.

34. The authorized body should have relevant system of documentation of implemented procedures and data records (including storage and retrieval of documentation). This system should allow tracking of phytosanitary certificates.

35. The authorized body should possess guidelines and operating instructions, comprising all procedures of the phytosanitary certification system, including:

a) Specific actions related to the phytosanitary certification according to the acts of the Eurasian Economic Commission, falling under law of the Union, and the international legislation in the sphere of plant quarantine;

b) Review of the notifications on non-compliance received from national body for plant quarantine of the importing country, including submission of reports on the results of investigation on such non-compliance upon request of the national body for plant quarantine of the importing country;

c) Investigation on invalid or falsified phytosanitary certificates.

36. The authorized body should provide storing of data related to all procedures for phytosanitary certification. Copies of all phytosanitary certificates should be kept with the authorized body for confirming their validity and tracking during an appropriate time period, but not less than one year.

37. The authorized bodies should provide unified format for the system of documentation of procedures related to phytosanitary certification, and use of a secure system of data processing, storage and retrieval.

38. Official messages should be sent to a contact person of the authorized body designated in accordance with the Convention and from this contact person to others. The authorized body may designate other contact persons in charge of specific topics or measures for phytosanitary certification (for example, for notifications on non-compliance).

39. The authorized body of the importing member state should provide information on phytosanitary requirements of its member state to national body for plant quarantine protection of exporting country in a clear and concise form (through the official contact address of national body for plant quarantine protection of exporting country). This information can be also communicated through the regional plant protection and quarantine organizations or published on the International Phytosanitary Portal in the Internet on official language of the Food and Agriculture Organization of the United Nations (preferably in the English or Russian language).

40. The authorized body of exporting member state should maintain communication with a contact person of importing country designated in accordance with the Convention for clarification and confirmation of the phytosanitary requirements of the importing country.

41. In case where after the phytosanitary certification, the authorized body of exporting member state becomes aware that the exported cargo fails to comply with the phytosanitary requirements of the importing country, the former should, as soon as possible, notify thereof the contact person of the importing country designated in accordance with the Convention or specified alternative contact person in the importing country in charge of specific topics and (or) phytosanitary measures.

42. In case where incompliance is found for importation, the authorized authority of importing member state notifies national body authorized for plant quarantine protection of exporting country pursuant to the procedure established by the national legislation of importing member state and the international legislation in the sphere of plant quarantine.

V. Composition of the single list and regulation of quarantine objects  
On the territories of the member states

43. A single list is compiled basis proposals of the authorized bodies.

44. The basis for inclusion of a pest in the single list is the conclusion from phytosanitary risk assessment.

45. Harmful organism is included in the single list, in case if by results of phytosanitary risk assessment carried out by the authorized body, it receives the status of a quarantine object for the territory (or part thereof) of one of the member state.

46. The authorized body is in charge of development and implementation of measures for struggling with quarantine objects included in the single list.

47. In case of detection of quarantine objects included in the single list, in the neighboring territories of several member states the authorized bodies of these member States take joint actions on organization of complex of measures on its regulation.

48. The authorized body, which detected on its territory of the state previously absent quarantine objects from the single list, informs other member states about the fact and measures taken.

49. Information on phytosanitary condition of territories of the member states is placed on the official websites of the authorized bodies and on the official website of the Union in the Internet.

END OF UNOFFICIAL TRANSLATION